

UNITED STATES DISTRICT COURT

for the

Michigan Western District Court 

____ Division

Margaret C. Hamilton

Case No.

FILED - LN

November 21, 2022 4:21 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: ptw / 400112 SCANNED BY: 400112_____
Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Sam Rental LLC
William H. Noud jr_____
Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

1:22-cv-1089**Jane M. Beckering,
United States District Juc****COMPLAINT AND REQUEST FOR INJUNCTION****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Margaret C. Hamilton
Street Address	4420 Van Atta Rd.
City and County	Okemos, Ingham
State and Zip Code	Michigan, 48864
Telephone Number	517.242.9849
E-mail Address	hamiltonmargaret760@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name	<u>Sam Rental LLC</u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u>3573 Autumnwood Lane</u>
City and County	<u>Okemos Ingham</u>
State and Zip Code	<u>Michigan 48864</u>
Telephone Number	<u>517.410.7257</u>
E-mail Address <i>(if known)</i>	<u>samrentallic@gmail.com</u>

Defendant No. 2

Name	<u>William H. Noud jr</u>
Job or Title <i>(if known)</i>	<u>Defendant Attorney</u>
Street Address	<u>PO Box 316</u>
City and County	<u>Mason Ingham</u>
State and Zip Code	<u>Michigan 48864</u>
Telephone Number	<u>517.676.6010</u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 3

Name	<u></u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 4

Name	<u></u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Loss of constitutional right to life, liberty, property without due process.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under
the laws of the State of *(name)* _____, and has its
principal place of business in the State of *(name)* _____.
Or is incorporated under the laws of *(foreign nation)* _____,
and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?
District Court - 55th

B. What date and approximate time did the events giving rise to your claim(s) occur?
September 29, 2022 - 11am

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
Judgement and order of eviction -

Judge denied plaintiff due process in denying request for legal counsel and advice - Judge said that the new evidence was unimportant because the opposing party did not have to send it. Its important to the case and the voluntary submission of the information are not equal. The judge can deny the admission of information but he cannot deny counsel.

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.
The physical removal of persons and property in the execution of eviction will endanger the life of a minor child. Right to possession of the property is the issue. Remaining on the property pending the appeal of the judgement is essential to my appeal in regards to maintaining the status quo of the original case. If this request for injunction is denied, the appeal will move forward on principal but no dollar amount would be sufficient after the fact to recover the loss of housing security and non replaceable property.

The loss to the other party aside from attorney fees can be well covered by security deposit escrow account.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.
The only relief being sought is the relief from the execution of the order to evict. Plaintiff and occupants must be allowed to remain for equal protection under the Constitution.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: November 21, 2022

Signature of Plaintiff

Printed Name of Plaintiff

Margaret C. Hamilton
Margaret C. Hamilton

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address